

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Madeline Cox Arleo
	:	
v.	:	Crim. No. 19-839 (MCA)
	:	
HERBERT WHALEN	:	<u>ORDER FOR A CONTINUANCE</u>
	:	

This matter having come before the Court on the joint application of Rachael A. Honig, Acting United States Attorney for the District of New Jersey (by Carolyn Silane, Assistant U.S. Attorney, appearing) and defendant Herbert Whalen (by John Lawrence Tompkins, Esq., appearing), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through January 1, 2022; and the defendant being aware that he has the right to have this matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to 18 U.S.C. 3161(c)(1); and the defendant having consented to this continuance and having waived such right; and two prior continuances having been entered as well as standing orders; and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Taking into account the exercise of diligence, the facts of this case require that defense counsel be permitted a reasonable amount of additional time for effective preparation in this matter;

(2) Plea negotiations are ongoing, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render any trial of this matter unnecessary;

(3) The granting of a continuance will likely conserve judicial resources; and

(4) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore, on this 30th day of September, 2021,

ORDERED that this action be, and hereby is, continued under the Speedy Trial Act from the date this Order is signed through and including January 1, 2022; and it is further

ORDERED that the period from the date this Order is signed through and including January 1, 2022 shall be excludable in computing time under the Speedy Trial Act of 1974.



HON. MADELINE COX ARLEO
United States District Judge

Form and entry consented to:

/s/ Carolyn Silane

Carolyn Silane
Assistant U.S. Attorney



John Lawrence Tompkins, Esq.
Counsel for Defendant Herbert Whalen